

In the United States Court of Federal Claims

No. 21-2197
(Filed: February 17, 2022)

CHARLES DANIELSON, *
on behalf of *
MARY J. VANVALKENBURG *
*
Plaintiff, *
*
v. *
*
THE UNITED STATES, *
*
Defendant. *

ORDER

On November 17, 2021, Plaintiff, proceeding *pro se*, filed a complaint with the Court. ECF No. 1. However, Plaintiff failed to pay the filing fee of \$402.00—a \$350.00 filing fee plus a \$52.00 administrative fee—or request authorization to proceed without prepayment of fees by submitting a signed application to proceed *in forma pauperis* (“IFP”), as required by Rule 77.1(c) of the Rules of the United States Court of Federal Claims (“RCFC”). On December 3, 2021, the Court ordered Plaintiff to either pay the required filing fees or submit a signed application to proceed IFP by January 3, 2022. ECF No. 7. The Court warned that, if Plaintiff failed to do so, this case would be dismissed for failure to prosecute under RCFC 41(b). *Id.*

On December 20, 2021, the Court received from Plaintiff a notice of “Free Court Filing,” in which Plaintiff asserted that he “cannot be charged a fee.” ECF No. 9. The Court filed the document by leave of the Court and directed Plaintiff to the Court’s December 3rd Order, ECF No. 7, explaining the requirement to pay the full filing fee or submit an application to proceed IFP. ECF No. 8. Given Plaintiff’s *pro se* status, the Court extended the deadline for Plaintiff to meet this requirement to February 2, 2022. *Id.* The Court again warned Plaintiff that, if Plaintiff failed to meet this deadline, Plaintiff’s case would be dismissed without prejudice for failure to prosecute under RCFC 41(b). *Id.*

As of the date of this Order, Plaintiff has neither paid the required filing fees nor applied to proceed IFP. Accordingly, this case is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute under RCFC 41(b). The Clerk is **DIRECTED** to enter judgment accordingly.

IT IS SO ORDERED.

s/ Thompson M. Dietz
THOMPSON M. DIETZ
Judge